

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA

**JUDGMENT IN A CRIMINAL CASE**

(For Offenses Committed On or After November 1, 1987)

V.

Case Number: 05-175

**FILED**

RICK VAN BRYSON

Tony Miles  
 Defendant's Attorney
**DEC 30 2005****THE DEFENDANT:**
 NANCY MAYER-WHITTINGTON, CLERK  
 U.S. DISTRICT COURT

Pleaded guilty to Count1 of a superseding information on 8/16/05.

Accordingly, the defendant is adjudged guilty of such count(s), involving the following offense(s):

<u>Title and Section</u>	<u>Nature of Offense</u>	<u>Date Offense Concluded</u>	<u>Count(s)</u>
18 USC 1035 and 2	False Statement Relating to Health Care Matters and Aiding and Abetting	9/01	1

The original indictment is dismissed on the motion of the United States.

As pronounced on 12/15/05, the defendant is sentenced as provided in pages 2 through 3 of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

**IT IS FURTHER ORDERED** that the defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid.

Signed this the 29<sup>th</sup> day of December, 2005.
  
 The Honorable Richard W. Roberts

Defendant's Soc. Sec. No.:

Defendant's Date of Birth:

Defendant's USM No.:

Defendant's Residence and Mailing Address:

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### PROBATION

The Defendant is hereby placed on probation for a term of 3 Years.

While on probation, the defendant shall not commit another federal, state, or local crime; shall not illegally possess a controlled substance; shall comply with the standard conditions that have been adopted by this court (set forth below); and shall comply with the following additional conditions:

1. If this judgment imposes a fine, special assessment, costs, or restitution obligation, it shall be a condition of supervision that the defendant pay any such fine, assessments, costs, and restitution that remain unpaid at the commencement of the term of supervision.

### STANDARD CONDITIONS OF PROBATION

1. You will not leave the judicial district without permission of the Court or probation officer.
2. You will report to the probation officer and submit a truthful and complete written report within the first five days of each month.
3. You will answer truthfully all inquiries by the probation officer, and follow the instructions of the probation officer.
4. You will support your dependents and meet other family responsibilities, to include complying with any court order or order of administrative process requiring the payment of child support.
5. You will work regularly at a lawful occupation unless excused by the probation officer for schooling, training, or other acceptable reasons.
6. You will notify the probation officer at least ten days prior to any change of residence or employment.
7. You will not frequent places where controlled substances are illegally sold, or administered; you shall refrain from excessive use of alcohol and will not purchase, possess, use, distribute or administer any controlled substance or paraphernalia related to such substances, except as prescribed by a physician.
8. You will not associate with any persons engaged in criminal activity, and will not associate with any person convicted of a crime unless granted permission to do so by the probation officer.
9. You will permit a probation officer to visit at any time at your home, employment or elsewhere and will permit confiscation of any contraband observed in plain view by the probation officer.
10. You will notify the probation officer within seventy-two hours of being arrested, questioned, or upon having any contact with a law enforcement officer.
11. You will not enter into any agreement to act as an informer or special agent of a law enforcement agency without the permission of the Court.
12. As directed by the probation officer, you will notify third parties of risks that may be occasioned by your criminal record or personal history or characteristics, and permit the probation officer to make such notifications and to confirm your compliance with such notification requirements.
13. You will not possess a firearm, destructive device, or other dangerous weapon.

### ADDITIONAL CONDITIONS:

-The defendant shall serve the first 6 months of his probation in home detention with electronic monitoring, and work release privileges.  
Payment of costs are waived.

-The defendant shall submit to the collection and use of DNA identification information at the direction of the U.S. Probation Office.

-The defendant shall pay the balance of any restitution owed at a rate of not less than \$200.00 each month and provide verification of his payments to the Probation Office.

The Probation Office shall release the presentence investigation report to all appropriate agencies in order to execute the sentence of the Court. Treatment agencies shall return the presentence report to the Probation Office upon the defendant's completion or termination from treatment.

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**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties; payments shall be applied in the following order: (1) assessment; (2) restitution; (3) fine; (4) cost of prosecution; (5) interest; (6) penalties.

**ASSESSMENT**

\$100.00

**RESTITUTION**

30, 338.90

**FINE**

\$0.00

**ASSESSMENT**

It is ordered that the defendant shall pay to the United States a special assessment of \$100.00 for Count(s) 1, which shall be due immediately to the United States District Court Clerk, 333 Constitution Ave., N.W., Rm. 1825, Washington, D.C. 20001, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program. Within 30 days of any change of mailing or residence address the defendant shall notify the Clerk of the Court of the change until such time as the financial obligation has been paid in full.

**RESTITUTION**

The defendant shall make restitution in the total amount of \$30, 338.90.

The defendant shall make restitution to the following persons in the following amounts:

<u>Name of Payee</u>	<u>Payee Address</u>	<u>City, State, Zip</u>	<u>Amount</u>
Medicare Fraud Unit	1954 Greenspring Dr.	Timonium, Md. 21093	\$30, 338.90

The restitution payment is due immediately.

If a victim has received compensation from insurance or any other source with respect to a loss, restitution shall be paid to the person who provided or is obligated to provide the compensation, but all restitution of victims shall be paid to the victims before any restitution is paid to such a provider of compensation.

Unless the interest is waived, the defendant shall pay interest on any fine or restitution of more than \$2,500.00, unless the fine or restitution is paid in full before the fifteenth day after the date of judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on the Schedule of Payments may be subject to penalties for default and delinquency pursuant to 18 U.S.C. § 3612(g).

If the fine and/or restitution is not paid, the Court may sentence the defendant to any sentence which might have been originally imposed. See 18 U.S.C. § 3614. Pursuant to 18 U.S.C. §§ 3572(d)(3) and 3664(k), the defendant shall notify the Court and the Attorney General of any material change in the defendant's economic circumstances that might affect the defendant's ability to pay a fine or restitution. As set out in 18 U.S.C. § 3664(n), if the defendant receives substantial resources from any source, including inheritance, settlement, or other judgment, during the period of incarceration, the defendant shall apply the value of such resources to any restitution or fine still owed.

THE COURT FINDS that the defendant does not have the ability to pay a fine and waives its imposition.